

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

COREY SIMMONS,

Plaintiff,

-v-

9:11-CV-753
(DNH/ATB)

NORMAN BEZIO, Superintendent,¹ Great Meadow Correctional Facility; CHARLES KELLY, Deputy Superintendent of Security, Great Meadow Correctional Facility; J. LINDSTRAND, Deputy Superintendent of Administration, Great Meadow Correctional Facility; TAYLOR, Correctional Guard, Great Meadow Correctional Facility; and S. WOODWORTH, Grievance Supervisor, Great Meadow Correctional Facility,

Defendants.

APPEARANCES:

OF COUNSEL:

COREY SIMMONS
Plaintiff Pro Se
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HON. ERIC T. SCHNEIDERMAN
Attorney General for the State of New York
Attorney for Defendants
The Capitol
Albany, NY 12224

KRISTA A. ROCK, ESQ.
Assistant Attorney General

DAVID N. HURD
United States District Judge

¹ The Clerk is directed to amend the caption to correctly spell "Superintendent."

DECISION and ORDER

Plaintiff brought this action pursuant to 42 U.S.C. § 1983. On June 21, 2012, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised, by Report-Recommendation, that defendants' motion for summary judgment be granted and the complaint be dismissed in its entirety, and that defendants' letter motion seeking summary judgment based on plaintiff's failure to provide his current address be denied as moot. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

Therefore it is

ORDERED that

1. Defendants' motion for summary judgment, Dkt. No. 21, is GRANTED and the complaint is DISMISSED in its entirety; and

2. Defendants' letter motion seeking summary judgment, Dkt. No. 25, based on plaintiff's failure to provide his current address is DENIED as moot.

IT IS SO ORDERED.

Dated: July 26, 2012
Utica, New York.


United States District Judge